

EXHIBIT “3”

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JOSHUA BRYSON
BRYSON vs ROUGH COUNTRY

April 12, 2023
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<p style="text-align: right;">Page 5</p> <p>1 responsiveness of the answer until the first use 2 of the deposition is sought. 3 Is that agreeable? 4 MS. CANNELLA: We would like to just take 5 it pursuant to the Civil Practice Act and 6 preserve objections as we go. 7 MS. FERGUSON: Pursuant to the federal 8 rules? 9 MS. CANNELLA: Yeah. Yes. 10 MS. FERGUSON: Okay. And so you're going 11 to make -- you're going to state your full 12 objections as we go? 13 MS. CANNELLA: To objections that have to 14 be preserved. 15 MS. FERGUSON: Okay. 16 CROSS-EXAMINATION 17 BY MS. FERGUSON: 18 Q Okay. Sir, could you, please, state your 19 full name for the record? 20 A Joshua Ward Bryson. 21 Q Wood? 22 A Ward. 23 Q Ward? Okay. 24 A Yes. 25 Q Sorry about that.</p>	<p style="text-align: right;">Page 7</p> <p>1 wanted to get your current address for now. 2 Josh, as you know, I'm here today to ask 3 you some questions about and related to a lawsuit 4 that's been filed against my client Rough Country, 5 LLC. It's all related to an accident that you and 6 your family were involved in on March 15th, 2020. 7 And I just want to let you know at the very 8 outset of this that I am very, very sorry for your 9 loss. I have a seven-year-old son and I can't 10 imagine what you all have been through, so please do 11 not take my questions today as me trying to in 12 intrude, be intrusive, harass you at all. There's 13 just some basic information I need to get because of 14 the lawsuit that's been filed. 15 If at any time today you need to take a 16 break, please let me know. We can take as many 17 breaks as you need. The goal is to efficiently get 18 through this as quickly as we, as we can. But I 19 understand there may be times when you just need to 20 take a breather, go to the bathroom, so please just 21 let me know at any time. I want to make this as 22 comfortable as it can be for you, but knowing that 23 some of the topics we're going to cover today are 24 going to be difficult, I know. 25 Have you ever given a deposition before</p>
<p style="text-align: right;">Page 6</p> <p>1 A W-A-R-D. 2 Q Okay. And, sir, would you mind if I 3 called -- do you go by Joshua, or Josh? 4 A Either one is okay. 5 Q Either one? Okay. 6 A Yeah. 7 Q Would you mind if I called you Josh today? 8 A That's fine. 9 Q Okay. Thank you. 10 Sir, what is your date of birth? 11 A November 13th, 1995. 12 Q Okay. And where do you currently reside? 13 A 425 Chubbtown Road, Cedartown, Georgia. 14 Q And how long have you lived there? 15 A Since the middle of 2020. I want to say 16 around July; June, July. 17 Q Okay. Do you live in a home? 18 A Yes. 19 Q And who do you live at that home with? 20 A My wife Santana and my children, Cambrie 21 and Chandler. 22 Q And do you own the home? 23 A Yes. 24 Q All right. I may ask you about some prior 25 addresses a little later in the deposition, but just</p>	<p style="text-align: right;">Page 8</p> <p>1 today? 2 A No, ma'am. 3 Q Okay. I assume your attorneys have talked 4 with you a good bit about today and what to expect, 5 but I will just go through a couple ground rules so 6 we can hopefully move through this fairly quickly and 7 without any hiccups. 8 If I ask you any questions today that don't 9 make sense or you didn't understand them, please let 10 me know and I'll try to rephrase them. Again, like I 11 already said, if you need to take a break at any 12 time, let me know and we can take a break. I'll just 13 ask that you try to answer the question that's 14 pending before we take a break; but, otherwise, we 15 can stop whenever. 16 And we need to try to make sure we don't 17 talk over each other today, so try to let me finish 18 my question before you start your answer, and I'll 19 try to make sure I let you fully answer before I 20 start talking; again, so we're not talking over each 21 other and our court reporter can get a clear record. 22 I think she mentioned that to you beforehand. 23 One other thing I'll just remind you: Try 24 to make sure you give verbal answers like a "yes" and 25 a "no" instead of "mm-hmm" or "uh-uh" just, again, so</p>

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<p style="text-align: right;">Page 9</p> <p>1 we have a clear record of what you intended to say as</p> <p>2 she's transcribing.</p> <p>3 Does that make sense?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Okay. Good. All right. Just starting</p> <p>6 off, I just want to get a little bit of personal</p> <p>7 background on you.</p> <p>8 Where were you born?</p> <p>9 A In Blairsville, Georgia. Or I was actually</p> <p>10 born in Murphy, but I resided in Blairsville. My mom</p> <p>11 just didn't like the Blairsville hospital.</p> <p>12 Q Okay. Did you grow up in Blairsville?</p> <p>13 A Yes.</p> <p>14 Q Okay. Where did you go to high school?</p> <p>15 A Union County High School.</p> <p>16 Q Okay. And did you graduate?</p> <p>17 A Yes.</p> <p>18 Q What year?</p> <p>19 A In 2014.</p> <p>20 Q Okay. Did you go to high school -- or,</p> <p>21 sorry, college after that?</p> <p>22 A No. I did not.</p> <p>23 Q Okay. What did you do for work after you</p> <p>24 graduated from high school?</p> <p>25 A After I graduated, I had worked at Burger</p>	<p style="text-align: right;">Page 11</p> <p>1 that's what you've been doing for employment since</p> <p>2 high school?</p> <p>3 A Yes, ma'am.</p> <p>4 Q Okay. And approximately how many years</p> <p>5 have you been at Wal-Mart?</p> <p>6 A Seven, I believe.</p> <p>7 Q Where did you live prior to July of 2020;</p> <p>8 the house that you're in currently?</p> <p>9 A I had lived with her nana.</p> <p>10 Q With whose nana?</p> <p>11 A Santana's nana.</p> <p>12 Q Okay. What was the address?</p> <p>13 A 1195 Doyle Road, Cedartown, Georgia.</p> <p>14 Q When you say "Santana's nana," is that her</p> <p>15 mom or her grandmother --</p> <p>16 A It's --</p> <p>17 Q -- or neither?</p> <p>18 A It's her grandmother.</p> <p>19 Q Grandmother. Okay.</p> <p>20 And that's where, I believe -- just from</p> <p>21 the discovery responses, that's where you all were</p> <p>22 living at the time of the accident?</p> <p>23 A Yes, ma'am.</p> <p>24 Q Okay. And so was it you, Santana, Cohen,</p> <p>25 and her nana that all lived together?</p>
<p style="text-align: right;">Page 10</p> <p>1 King for a short time because I had worked there</p> <p>2 prior when I was in high school. And then I had left</p> <p>3 and I've worked at Wal-Mart ever since.</p> <p>4 Q I'm sorry.</p> <p>5 You work where?</p> <p>6 A I have worked at Wal-Mart ever since --</p> <p>7 Q Oh, okay.</p> <p>8 A -- after Burger King. Yeah.</p> <p>9 Q Gotcha.</p> <p>10 What do you do at Wal-Mart?</p> <p>11 A I am a team lead.</p> <p>12 Q Team lead?</p> <p>13 A Yes.</p> <p>14 Q Okay. What does -- just briefly. We don't</p> <p>15 have to go into much of that.</p> <p>16 But just what does that mean, since I don't</p> <p>17 know?</p> <p>18 A I manage people. It's just underneath</p> <p>19 salary. I didn't want to go the salaried route.</p> <p>20 Q Okay. And are you assigned to a specific</p> <p>21 store, or more of a corporate location?</p> <p>22 A A specific store.</p> <p>23 Q Okay. Where is that?</p> <p>24 A In Rome, Georgia.</p> <p>25 Q Okay. And so aside from Burger King,</p>	<p style="text-align: right;">Page 12</p> <p>1 A Yes. And her grandfather.</p> <p>2 Q And her grandfather?</p> <p>3 A Yes.</p> <p>4 Q Okay. And what do you -- what, what do you</p> <p>5 all refer to him as name-wise? I mean, do you call</p> <p>6 him Papa or Pop or --</p> <p>7 A I just call him Danny.</p> <p>8 Q Danny?</p> <p>9 A Yeah.</p> <p>10 Q Okay. And what's, what's his full name?</p> <p>11 A Danny Kelly. I'm not sure his middle name.</p> <p>12 Q That's okay.</p> <p>13 And then what is nana's? Is she -- what's</p> <p>14 her first name?</p> <p>15 A Rissa.</p> <p>16 Q Rissa Kelly?</p> <p>17 A Yes.</p> <p>18 Q Okay. How do you spell that?</p> <p>19 A R-I-S-S-A.</p> <p>20 Q Okay. And how long did you all live with</p> <p>21 the Kellys?</p> <p>22 A I believe we moved in February.</p> <p>23 Q Of 2020?</p> <p>24 A Yes.</p> <p>25 Q Where did you all live prior to that?</p>

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<p style="text-align: right;">Page 13</p> <p>1 A In Shannon, Georgia.</p> <p>2 Q In a house, or an apartment?</p> <p>3 A It was a house.</p> <p>4 Q How long did you all live there?</p> <p>5 A When we had moved to Rome in twenty -- at</p> <p>6 the end of 2018, I believe, we had moved into that</p> <p>7 house. And we stayed there until we had moved in</p> <p>8 with her nana.</p> <p>9 Q Okay. How did you and Santana meet?</p> <p>10 A I interviewed her at Wal-Mart.</p> <p>11 Q Okay. Did she take a job with Wal-Mart?</p> <p>12 A She did.</p> <p>13 Q Okay. And does she -- well, strike that.</p> <p>14 When did you first meet her? Do you</p> <p>15 remember the year?</p> <p>16 A It was in 2017.</p> <p>17 Q All right. And I don't know if she works</p> <p>18 there currently or not, but how long did she work at</p> <p>19 Wal-Mart? I'll get a chance to talk to her later,</p> <p>20 but I may ask you --</p> <p>21 A Yeah.</p> <p>22 Q -- a few questions just to streamline</p> <p>23 things and hopefully go faster.</p> <p>24 A It was less than a year.</p> <p>25 Q Okay.</p>	<p style="text-align: right;">Page 15</p> <p>1 A No. We, we were just engaged.</p> <p>2 Q Okay. Where did you all get married?</p> <p>3 A At her -- it was in Cedartown at her aunt's</p> <p>4 house. She does party planning.</p> <p>5 Q Okay. And what's her aunt's name?</p> <p>6 A Amy Waters.</p> <p>7 Q Okay. And have you ever been married</p> <p>8 previously?</p> <p>9 A No, ma'am.</p> <p>10 Q Okay. And you have -- Chandler is a son,</p> <p>11 correct?</p> <p>12 A Yes, ma'am.</p> <p>13 Q And then is it Cambrie?</p> <p>14 A Yes, ma'am.</p> <p>15 Q And Cambrie is a girl?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Okay. And when was Cambrie born?</p> <p>18 A She was born at the beginning of 2022; in</p> <p>19 January.</p> <p>20 Q Okay. And Chandler I know was born shortly</p> <p>21 after the accident.</p> <p>22 What is his date of birth?</p> <p>23 A March 20, 2020.</p> <p>24 Q March 20, 2020?</p> <p>25 A (Witness nods head.)</p>
<p style="text-align: right;">Page 14</p> <p>1 A I'm not sure exact date.</p> <p>2 Q Okay. So she worked at Wal-Mart from</p> <p>3 around 2017 to 2018, roughly?</p> <p>4 A I believe so.</p> <p>5 Q Okay. And I understand you all are</p> <p>6 married, right?</p> <p>7 A Mm-hmm.</p> <p>8 Q Okay.</p> <p>9 A Yes, ma'am.</p> <p>10 Q When did you get married?</p> <p>11 A We got married in 2020.</p> <p>12 Q What was the date?</p> <p>13 A May the 3rd.</p> <p>14 Q Okay. And you all met in 2017.</p> <p>15 And when did you all start dating or become</p> <p>16 a couple; whatever you want to call it?</p> <p>17 A About a month after I had met her.</p> <p>18 Q Okay. When did you get engaged?</p> <p>19 A The end of 2019. I can't remember the</p> <p>20 exact month.</p> <p>21 Q All right. And at the time of the accident</p> <p>22 that we're here to talk about today, was your wedding</p> <p>23 already planned for May of 2020?</p> <p>24 A No.</p> <p>25 Q It was not? Okay.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q Okay. I want to move to the day of the</p> <p>2 accident, March 15th, 2020.</p> <p>3 And do you recall that it was a Sunday?</p> <p>4 A I don't recall the exact day. No.</p> <p>5 Q Okay. I'll represent to you that it was.</p> <p>6 Just for the record now, let me go ahead and put on</p> <p>7 the record Defendant's Exhibit 1 as the notice for</p> <p>8 the deposition.</p> <p>9 And then I'm going to mark as Defendant's</p> <p>10 Exhibit 2, Plaintiff Joshua Bryson's responses to</p> <p>11 Rough Country first interrogatories.</p> <p>12 And you can reference these as needed. I</p> <p>13 may direct you to a certain response that, that may</p> <p>14 help you with answering some of your questions.</p> <p>15 Okay? This copy is for you to look at.</p> <p>16 (Whereupon, the court reporter</p> <p>17 marked Defendant's Exhibit Nos. 1</p> <p>18 and 2 for identification.)</p> <p>19 MS. CANNELLA: Can I just take a quick look</p> <p>20 at that?</p> <p>21 MS. FERGUSON: Yeah. Sure.</p> <p>22 MS. CANNELLA: Thanks.</p> <p>23 So this is his first response?</p> <p>24 MS. FERGUSON: Yes. And I have a copy. I</p> <p>25 know that the address was updated in the</p>

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<p style="text-align: right;">Page 17</p> <p>1 supplement for his -- I think it's his mom's</p> <p>2 house. So I have a copy of that somewhere.</p> <p>3 Is that what you were wondering about?</p> <p>4 MS. CANNELLA: Yeah. I was just making</p> <p>5 sure I knew which rog response it was since</p> <p>6 there were two or three.</p> <p>7 MS. FERGUSON: I think I have a copy</p> <p>8 somewhere.</p> <p>9 It just --</p> <p>10 MS. CANNELLA: It's okay. You don't have</p> <p>11 to -- I mean, unless you want to put it on the</p> <p>12 record, you can. I was just --</p> <p>13 MS. FERGUSON: Well, I might as well just</p> <p>14 go ahead and do it.</p> <p>15 MS. CANNELLA: Okay.</p> <p>16 MS. FERGUSON: But I already marked another</p> <p>17 one as 3. I just premarked them so they're</p> <p>18 going to be out of order, but, whatever. That's</p> <p>19 fine.</p> <p>20 Q (BY MS. FERGUSON) I'm going to mark as</p> <p>21 Defendant's 4 -- ooh. You know what? This is getting</p> <p>22 a little bit messy. I didn't look at the name. It</p> <p>23 was -- I was marking Santana's. Defendant's 4 is</p> <p>24 Joshua Bryson's supplemental responses to Rough</p> <p>25 Country's first interrogatories.</p>	<p style="text-align: right;">Page 19</p> <p>1 day, do you have any memory of what you all did that</p> <p>2 day?</p> <p>3 A We just woke up and went straight to my</p> <p>4 mom's house that morning. Since it's a long drive,</p> <p>5 we usually will leave out early in the morning and</p> <p>6 spend the day there and then come back.</p> <p>7 Q Okay. So you all were going, I think, from</p> <p>8 Cedartown to Blairsville?</p> <p>9 A Yes, ma'am.</p> <p>10 Q About how long is that drive?</p> <p>11 A About two and a half hours.</p> <p>12 Q Okay. So you would have gotten up in the</p> <p>13 morning and, and headed to her house and spent the</p> <p>14 day there?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Okay. How -- and I'm not looking for an</p> <p>17 exact number, but, roughly, how many people were at</p> <p>18 the party?</p> <p>19 A Probably 15 or so.</p> <p>20 Q Okay. Was it all family and extended</p> <p>21 family, or some friends too?</p> <p>22 A Just family and extended family.</p> <p>23 Q Okay. Besides your mom, who all do you</p> <p>24 remember that was at the party?</p> <p>25 A My brothers, my aunt, my grandmother, and</p>
<p style="text-align: right;">Page 18</p> <p>1 And feel free to look through these, but I</p> <p>2 believe that the supplemental response relates to</p> <p>3 correcting an address.</p> <p>4 (Whereupon, the court reporter</p> <p>5 marked Defendant's Exhibit No. 4 for</p> <p>6 identification.)</p> <p>7 MS. CANNELLA: What's the date on that one?</p> <p>8 12/7/22?</p> <p>9 THE WITNESS: Mm-hmm.</p> <p>10 Q (BY MS. FERGUSON) Have you had a chance to</p> <p>11 look through?</p> <p>12 A Yeah.</p> <p>13 Q Okay. Based on interrogatory number 7</p> <p>14 response, which would be in Exhibit 2, it sounds like</p> <p>15 you all went to a birthday party at your mom's house</p> <p>16 at some point on sun -- that Sunday?</p> <p>17 A That's correct.</p> <p>18 Q Okay. Do you have -- besides looking at</p> <p>19 this response, do you have a memory of going to the</p> <p>20 birthday party at your mom's?</p> <p>21 A Vaguely. I mean, I remember being there --</p> <p>22 Q Mm-hmm.</p> <p>23 A -- but I don't remember a whole lot of the</p> <p>24 events like what we had did there.</p> <p>25 Q Okay. Backing up before the party that</p>	<p style="text-align: right;">Page 20</p> <p>1 my sister.</p> <p>2 Q Okay. And what are your brothers' and</p> <p>3 sisters' and aunts' names, please?</p> <p>4 A Justin Bryson, Dustin Bryson, Kristin</p> <p>5 Bryson, Dillon Young, Tyler Young. My aunt's name is</p> <p>6 Glenda Deaton, who has passed away since. And then</p> <p>7 my uncle was Greg Deaton, and he has also passed away</p> <p>8 since. My grandmother's name is Goldie Nichols and</p> <p>9 my grandfather's name is Sam Nichols.</p> <p>10 Q Okay. The party was at your mom's house.</p> <p>11 And that's Gretta Young?</p> <p>12 A That's correct.</p> <p>13 Q Okay. And does she still -- in the</p> <p>14 supplemental response, I believe you corrected the</p> <p>15 address as 77 Lawson Valley, Blairsville, Georgia.</p> <p>16 Does she still live at that address?</p> <p>17 A Yes.</p> <p>18 Q Okay. Is that where you grew up, or no?</p> <p>19 A Yes.</p> <p>20 Q Yes. Okay.</p> <p>21 What number birthday was it for your mom,</p> <p>22 if you remember?</p> <p>23 A I do not remember the exact date. Or the</p> <p>24 exact number.</p> <p>25 Q How old is she now, if you know?</p>

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<p style="text-align: right;">Page 21</p> <p>1 A Right around 40, 41.</p> <p>2 Q Okay. And what, what do you remember about</p> <p>3 the party? Was it any activities? a dinner? a</p> <p>4 cookout? barbecue? anything like that?</p> <p>5 A Yes. It was a barbecue, from what I</p> <p>6 remember, cause we -- she has a pool and it was</p> <p>7 outside. I remember going to Wal-Mart that day with</p> <p>8 my brothers. And besides that, I mean, I just</p> <p>9 remember playing, like, outside with Cohen.</p> <p>10 Q How often would you all go up to your mom's</p> <p>11 house in Blairsville to visit?</p> <p>12 A Typically, most holidays. And a few other</p> <p>13 times a year, but mainly holidays; or special events</p> <p>14 like birthday.</p> <p>15 Q Do you have a memory of around what time</p> <p>16 you all left your mom's house on the night of the</p> <p>17 accident?</p> <p>18 A Yes. Around 11:00 p.m.</p> <p>19 Q And my understanding is Santana was</p> <p>20 driving --</p> <p>21 A Yes.</p> <p>22 Q -- correct?</p> <p>23 What about on the way up there? Did you</p> <p>24 drive, or did Santana drive?</p> <p>25 A I don't remember.</p>	<p style="text-align: right;">Page 23</p> <p>1 it and then she gave us a hug before we had left.</p> <p>2 Q Okay. And then did, did one of you then</p> <p>3 check the car seat to make sure he was, he was</p> <p>4 buckled in right after that?</p> <p>5 A I don't remember that night specifically.</p> <p>6 Q Okay. That was just kind of your custom?</p> <p>7 A Yeah.</p> <p>8 Q Okay. Did your mom have other grandkids</p> <p>9 besides Cohen at that time?</p> <p>10 A She -- my sister has kids. But I'll be</p> <p>11 honest. I can't remember how old they are, so I</p> <p>12 can't remember.</p> <p>13 Q Okay. All right. And this is a question</p> <p>14 that we ask any witness, so please don't take</p> <p>15 offense.</p> <p>16 But were you under the influence of any</p> <p>17 medications or alcohol that would impact your ability</p> <p>18 to recall what happened that night or at the scene of</p> <p>19 the accident?</p> <p>20 A No, ma'am.</p> <p>21 Q Okay. Do you have a specific memory of</p> <p>22 leaving your mom's house in the car and the driving</p> <p>23 up until the accident?</p> <p>24 A What I remember is I was originally</p> <p>25 driving. We had pulled out to the end of our</p>
<p style="text-align: right;">Page 22</p> <p>1 Q And so you left around 11:00 p.m.</p> <p>2 And the accident, just based on the police</p> <p>3 report, happened about 15 minutes later?</p> <p>4 A Yes, ma'am.</p> <p>5 Q Okay. Before you left, Cohen was placed or</p> <p>6 buckled in his car seat, right?</p> <p>7 A Yes, ma'am.</p> <p>8 Q Okay. And do you know who put him in his</p> <p>9 car seat?</p> <p>10 A My mother did.</p> <p>11 Q Okay. Do you have a specific memory of</p> <p>12 that, or did you -- do you have to -- did you look</p> <p>13 at, like, documents or something to remind you of</p> <p>14 that?</p> <p>15 A No. She, she usually likes to do it when</p> <p>16 we're leaving her house. It's like the last way for</p> <p>17 her to say goodbye to the kids, so she would always</p> <p>18 do it. And then we would look and, you know, make</p> <p>19 sure everything's good. But she would always be the</p> <p>20 one that wanted to do it.</p> <p>21 Q Okay. I mean, as we sit here today, do you</p> <p>22 specifically remember seeing her doing it that night,</p> <p>23 or just more of a general recollection that, that she</p> <p>24 normally did that?</p> <p>25 A No. I remember that night because she did</p>	<p style="text-align: right;">Page 24</p> <p>1 driveway. And Santana had asked me to drive instead</p> <p>2 because she likes to drive on the long trips, and so</p> <p>3 we swapped. And then I have a small memory of going</p> <p>4 to the red light because I remember Santana saying</p> <p>5 somebody behind her had very bright lights. And</p> <p>6 that's really the last thing that I can remember from</p> <p>7 that night for the accident.</p> <p>8 Q And do you remember when she said that</p> <p>9 somebody had really bright lights, was that while you</p> <p>10 all were driving, or when you were stopped at the</p> <p>11 light?</p> <p>12 A That was while driving.</p> <p>13 Q Do you, do you remember how far before the</p> <p>14 light it was?</p> <p>15 A I can't remember. No.</p> <p>16 Q Okay. Do you know if it was the F-250 that</p> <p>17 eventually hit you all?</p> <p>18 A Yes.</p> <p>19 Q Okay. Did you turn around and look at the</p> <p>20 truck or do anything like that?</p> <p>21 A I personally did not. No.</p> <p>22 Q Okay. And so she mentioned that the truck</p> <p>23 had really bright lights.</p> <p>24 And do you remember, did you say anything</p> <p>25 in response or do anything else in response?</p>

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<p style="text-align: right;">Page 25</p> <p>1 A I can't remember for sure.</p> <p>2 Q Do you have a memory of being stopped or</p> <p>3 sitting at the stoplight before the accident?</p> <p>4 A Not that I can recall.</p> <p>5 Q And what do you remember about what -- I</p> <p>6 mean, I understand Cohen was buckled into his car</p> <p>7 seat --</p> <p>8 A (Witness nods head.)</p> <p>9 Q -- but what do you remember about what he</p> <p>10 was doing from the time you all left the house to</p> <p>11 that point? I mean, whether he was playing with a</p> <p>12 toy or had a paci or sleeping or -- do you have any</p> <p>13 memory or information about that?</p> <p>14 A He was sleeping.</p> <p>15 Q Okay. And, I mean, this is kind of -- it</p> <p>16 sounds like a stupid question, but how did you know</p> <p>17 was he -- he was sleeping? Did you, like, look back</p> <p>18 at him, or you -- something like that, or --</p> <p>19 A I think whenever I had -- we had swapped</p> <p>20 for me to be in the passenger seat and her driving,</p> <p>21 we had checked and he was sleeping.</p> <p>22 Q Okay. And that would have been when you</p> <p>23 all swapped at the end of your mom's driveway?</p> <p>24 A Yes, ma'am.</p> <p>25 Q Okay. So I just -- I'm trying to make sure</p>	<p style="text-align: right;">Page 27</p> <p>1 next day.</p> <p>2 Q And, and I apologize that some of this may</p> <p>3 be obvious to everyone else in the room, but I, I</p> <p>4 don't know.</p> <p>5 Were you knocked out at the scene, or</p> <p>6 unconscious, or --</p> <p>7 A I had a concussion.</p> <p>8 Q -- just maybe dazed, or -- do you know?</p> <p>9 A I had a concussion.</p> <p>10 Q Okay.</p> <p>11 A And I don't know if it's a mix between that</p> <p>12 and maybe just, like, the trauma, but I really don't</p> <p>13 remember a lot from the, the scene.</p> <p>14 Q Okay. And when you said you looked up and</p> <p>15 you were told that Cohen had passed away, do you</p> <p>16 think you were at the scene, or the hospital, or</p> <p>17 don't -- simply don't know?</p> <p>18 A No. I was at a hospital.</p> <p>19 Q At a hospital.</p> <p>20 A I just -- I don't know which hospital.</p> <p>21 Q Okay.</p> <p>22 A I was at a hospital.</p> <p>23 Q Cause I believe you all were at Fannin</p> <p>24 Regional, I think first, and then transported to</p> <p>25 Erlanger.</p>
<p style="text-align: right;">Page 26</p> <p>1 I've covered anything you remember from that stretch</p> <p>2 from your mom's up until the point of the accident.</p> <p>3 You all swapped at the end of the driveway. You</p> <p>4 remember Cohen was sleeping. You remember Santana</p> <p>5 mentioning the bright lights in the truck behind you.</p> <p>6 Anything else that comes to mind that you</p> <p>7 remember just from that -- you know, I guess it was</p> <p>8 about 20 minutes from the house to the, the accident?</p> <p>9 A No. I, I personally -- I had just</p> <p>10 downloaded Spotify that night and I was downloading</p> <p>11 music --</p> <p>12 Q Okay.</p> <p>13 A -- while we were going down the road, so I</p> <p>14 was kind of focused on that while she was driving.</p> <p>15 Q Okay. And then moving to the actual</p> <p>16 impact, I mean, tell me what you remember about that.</p> <p>17 A The only thing -- I don't remember anything</p> <p>18 from the actual impact. I remember being told that</p> <p>19 Cohen had passed away and then...</p> <p>20 Q Where were you told that?</p> <p>21 A I couldn't tell you. I just remember --</p> <p>22 like I just remember a small scene of, like, looking</p> <p>23 up at the ceiling and somebody standing over my head</p> <p>24 and telling me that. I really don't know where I</p> <p>25 was. That's about all I remember until waking up the</p>	<p style="text-align: right;">Page 28</p> <p>1 Does that sound right?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Okay. And I apologize again for having to</p> <p>4 ask some of these questions. I think we can quickly</p> <p>5 move past it and -- because you don't remember</p> <p>6 anything at the scene.</p> <p>7 So at the scene, you did not see Cohen at</p> <p>8 all that you remember?</p> <p>9 A No, ma'am.</p> <p>10 Q Okay.</p> <p>11 MS. BRYSON: I'm sorry.</p> <p>12 MS. FERGUSON: That's okay.</p> <p>13 Q (BY MS. FERGUSON) Do you have any memory of</p> <p>14 how you got out of the vehicle?</p> <p>15 A No, ma'am.</p> <p>16 Q And do you have any memory prior to impact</p> <p>17 of seeing the F-250 speeding up or driving up behind</p> <p>18 your vehicle?</p> <p>19 A Not to my memory.</p> <p>20 Q Okay. Do you remember being transported</p> <p>21 from Fannin Regional to Erlanger?</p> <p>22 A I don't remember any visual cues. I</p> <p>23 remember my back had been broken and I remember</p> <p>24 riding in the ambulance. Cause they had to go up a</p> <p>25 real curvey road and I just remember -- like I</p>

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<p style="text-align: right;">Page 29</p> <p>1 remember being in pain, like, with the curves. But I</p> <p>2 don't remember, like, visual cues or anything beyond</p> <p>3 just getting woken up from the pain for a brief</p> <p>4 second, then going back out.</p> <p>5 Q Okay. And I'm, I'm not asking for any</p> <p>6 information that your attorneys may have told you.</p> <p>7 That's attorney-client. That's privileged.</p> <p>8 But aside from conversations with them,</p> <p>9 have you talked or, you know, reviewed police report</p> <p>10 or videos or anything like that such that you know,</p> <p>11 you know, how you got out of the vehicle at the</p> <p>12 scene?</p> <p>13 A Will you rephrase that, what you're asking?</p> <p>14 Q Do you, do you -- aside from anything your</p> <p>15 attorneys told you, do you know how you got out of</p> <p>16 your car at the scene?</p> <p>17 A No.</p> <p>18 Q Okay. And I'll get a chance to ask Santana</p> <p>19 later, but do you know -- again, aside from anything</p> <p>20 your attorneys may have told you -- if, if Santana</p> <p>21 interacted with the driver Hunter Elliott that hit</p> <p>22 you all at the scene?</p> <p>23 A Not to my knowledge.</p> <p>24 Q Okay. At some point in time, did, did you</p> <p>25 come to learn that he was DUI at the time of the</p>	<p style="text-align: right;">Page 31</p> <p>1 Q Okay. And so did Santana stay in the</p> <p>2 hospital for that entire five days?</p> <p>3 A Yes, ma'am.</p> <p>4 Q Okay. And then do you remember how much</p> <p>5 longer she was in the hospital after that?</p> <p>6 A I don't recall exactly how long. No.</p> <p>7 Q Was that at Erlanger?</p> <p>8 A Yes, ma'am.</p> <p>9 Q Okay. And I understand Chandler remained</p> <p>10 in the NICU for quite some long period of time.</p> <p>11 Do you know how long?</p> <p>12 A I don't know exactly how long. It was, it</p> <p>13 was numerous months, though.</p> <p>14 Q Okay. And were you all having to go back</p> <p>15 and forth between Cedartown and -- was he, was he at</p> <p>16 Erlanger?</p> <p>17 A Yes. He was at Erlanger. We did not have</p> <p>18 to travel from Cedartown. The Ronald McDonald House</p> <p>19 was closed at the time because of COVID, but they</p> <p>20 were able to supply us with a hotel in Chattanooga.</p> <p>21 Q Okay.</p> <p>22 A And so we just had to go back and forth</p> <p>23 from the hotel rather than Cedartown.</p> <p>24 Q Okay. And did you all stay up in</p> <p>25 Chattanooga for, give or take, the whole time that</p>
<p style="text-align: right;">Page 30</p> <p>1 accident?</p> <p>2 A Not to my knowledge. Not at the time.</p> <p>3 Q No. At any time.</p> <p>4 I mean, at some point in time after the</p> <p>5 accident, did you come to learn that he was driving</p> <p>6 under the influence at the time of the accident?</p> <p>7 A Oh, yes.</p> <p>8 Q Okay. And, and I'm not asking -- I, I --</p> <p>9 just know that I'm not asking for any information</p> <p>10 that your attorneys have told you, but how did you</p> <p>11 find out that he was DUI?</p> <p>12 A I believe the police report.</p> <p>13 Q And did you all know Mr. Elliott before</p> <p>14 this accident?</p> <p>15 A No, ma'am.</p> <p>16 Q Okay. Do you remember how long you were in</p> <p>17 the hospital after the accident?</p> <p>18 A I was released the next day, personally.</p> <p>19 Santana was still in the hospital, so they moved me</p> <p>20 to her room. But as far as a patient, I was released</p> <p>21 the next day.</p> <p>22 Q Okay. And it sounds like Chandler was born</p> <p>23 about, it sounds like, five days after the accident.</p> <p>24 So March 20th, 2020; is that right?</p> <p>25 A That's correct.</p>	<p style="text-align: right;">Page 32</p> <p>1 Chandler was in the hospital in the NICU?</p> <p>2 A Yes, ma'am.</p> <p>3 Q Okay. And were there certain hours you all</p> <p>4 were allowed to visit during the day?</p> <p>5 A Yes, ma'am.</p> <p>6 Q Okay. What were the hours, if you</p> <p>7 remember?</p> <p>8 A I cannot remember. It was at the beginning</p> <p>9 of, like, the COVID madness, so there was a lot of</p> <p>10 restrictions; as in we couldn't even go up there at</p> <p>11 the same time. I can't remember the exact hours. If</p> <p>12 I remember correct, I think it was a small period in</p> <p>13 the morning and a small period later in the evening.</p> <p>14 And I don't think we could be up there for more than</p> <p>15 an hour at a time, from what I can remember.</p> <p>16 Q Okay. And I want to ask you a couple</p> <p>17 questions about Cohen's funeral.</p> <p>18 When, when did that take place?</p> <p>19 A I can't remember the exact date. I know we</p> <p>20 had to wait because of the -- I believe it was COVID</p> <p>21 restriction -- or, no. I think we had to wait for</p> <p>22 Chandler to be born. I can't remember the exact</p> <p>23 date. I think it was after Chandler was born,</p> <p>24 though. Maybe around a week after, but I can't</p> <p>25 remember the exact date.</p>

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<p style="text-align: right;">Page 33</p> <p>1 Q Okay. And where was his funeral?</p> <p>2 A It was in Cedartown. I cannot remember the</p> <p>3 exact funeral home.</p> <p>4 Q Okay. And were you and Santana both able</p> <p>5 to go?</p> <p>6 A Yes, ma'am.</p> <p>7 Q Okay. As far as the, the car seat that</p> <p>8 Cohen was in at the time of the accident, we asked</p> <p>9 some questions that are in the interrogatory response</p> <p>10 in front of you. If you look at number 9, based on</p> <p>11 the response, it sounds like the car seat was</p> <p>12 purchased sometime around August 15th, 2018.</p> <p>13 Does that sound right?</p> <p>14 A That's correct.</p> <p>15 Q Okay. Was it purchased new from a store?</p> <p>16 A Yes, ma'am.</p> <p>17 Q Okay. Where did you all buy it?</p> <p>18 A It was either Wal-Mart or Amazon. I can't</p> <p>19 remember exactly which one.</p> <p>20 Q And who installed -- well, that, that car</p> <p>21 seat type was initially installed in the car, was it</p> <p>22 forward-facing or backward-facing, if you remember?</p> <p>23 A I can't remember originally when we put it</p> <p>24 in the car if it was forward or backwards.</p> <p>25 Q Okay. Do you -- I mean, do you have any</p>	<p style="text-align: right;">Page 35</p> <p>1 her brake at a red -- or, yeah, a red light. And</p> <p>2 they had just tapped into the back of the trailer,</p> <p>3 but it wasn't -- there was no damage or no police</p> <p>4 report or anything filed.</p> <p>5 Q Okay. And was Cohen in the car with you</p> <p>6 all both times?</p> <p>7 A Yes.</p> <p>8 Q Okay. So the first accident that you just</p> <p>9 talked about, that was where Santana rear-ended</p> <p>10 another vehicle.</p> <p>11 Did the police come to the scene?</p> <p>12 A They did come for that one.</p> <p>13 Q Okay. Do you remember approximately when</p> <p>14 that happened?</p> <p>15 A I don't remember that. No.</p> <p>16 Q Where did it occur?</p> <p>17 A It occurred in Rome on the road next to the</p> <p>18 hospital. I cannot remember the road name. There's</p> <p>19 an intersection.</p> <p>20 Q What -- what's the hospital name in Rome?</p> <p>21 A Floyd.</p> <p>22 Q Floyd. Okay.</p> <p>23 A I believe they've recently changed it to</p> <p>24 Atrium. At the time, it was Floyd, though.</p> <p>25 Q Okay. And did the other driver make a</p>
<p style="text-align: right;">Page 34</p> <p>1 memory of whether that car seat was ever used</p> <p>2 backwards-facing?</p> <p>3 A I can't remember.</p> <p>4 Q Okay. And were you the one to install the</p> <p>5 car seat?</p> <p>6 A Santana.</p> <p>7 Q Santana. Okay. And in interrogatory</p> <p>8 number 10, below number 9, a question was asked</p> <p>9 whether or not the car seat was involved in any other</p> <p>10 motor vehicle accidents prior to the subject one; the</p> <p>11 March 15th, 2021. And two are mentioned here.</p> <p>12 Can you tell me what you remember about</p> <p>13 those two other collisions prior to the subject</p> <p>14 incident?</p> <p>15 A Yes. The first one was at a stop sign.</p> <p>16 The driver in front of us had let off their brakes as</p> <p>17 if they were going to go, and so Santana had started</p> <p>18 looking left to see if she could pull out cause it</p> <p>19 was at a yield sign. And the driver slammed their</p> <p>20 brakes. So it was not a very fast collision. It was</p> <p>21 just her letting off of her brake for a second to</p> <p>22 kind of roll up, so it was very minor.</p> <p>23 And the second one was similar to the first</p> <p>24 one, except somebody had hit us. We had a trailer on</p> <p>25 the back of our vehicle. And a lady had let off of</p>	<p style="text-align: right;">Page 36</p> <p>1 claim against you all? I mean, did your insurance</p> <p>2 have to pay anything; do you know?</p> <p>3 A Not to my knowledge. They never said</p> <p>4 anything to us about that.</p> <p>5 Q Okay. Was Santana issued a citation for</p> <p>6 that accident?</p> <p>7 A I think so. I can't remember for sure.</p> <p>8 Q Okay. And then the other accident where</p> <p>9 someone hit the trailer that you all were towing --</p> <p>10 well, let me strike that.</p> <p>11 The first accident we just talked about,</p> <p>12 was that also in your Ford Escape, or a different</p> <p>13 car?</p> <p>14 A That was in the Ford Escape. Yes.</p> <p>15 Q Okay. And the car seat that Cohen was in</p> <p>16 at the time of the March 15th, 2020 accident that was</p> <p>17 also involved in these other two accidents we're</p> <p>18 talking about, was that car seat dedicated to staying</p> <p>19 in the Ford Escape, or did you all move it around to</p> <p>20 different vehicles?</p> <p>21 A It had moved to different have vehicles,</p> <p>22 but it was primarily that. The only time that we</p> <p>23 moved it is, if we had to tow something, we would put</p> <p>24 it in her grandfather's Jeep, which is what we had to</p> <p>25 use for the trailer. But that was very rare. It was</p>

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<p style="text-align: right;">Page 37</p> <p>1 a handful of times.</p> <p>2 Q Okay. So for the second accident, were you</p> <p>3 all in the Jeep?</p> <p>4 A Yes.</p> <p>5 Q Okay. What were you all towing?</p> <p>6 A I don't think we had anything on at the</p> <p>7 time of the accident. We were going to somewhere in</p> <p>8 Shannon to get something, but we did not have</p> <p>9 anything on it at the time of the accident.</p> <p>10 Q Is this like a flatbed-type trailer?</p> <p>11 A Yes.</p> <p>12 Q Okay. What kind of Jeep did her uncle</p> <p>13 have? like a Jeep Wrangler or a Jeep Cherokee? I</p> <p>14 don't know all the different types, but if you know.</p> <p>15 A I don't know. I'm not sure of the exact</p> <p>16 Jeep model.</p> <p>17 Q And for the second accident, where, where</p> <p>18 did the -- where -- what was the location of the</p> <p>19 accident?</p> <p>20 A I'm terrible with road names, so I can't</p> <p>21 tell you the road name. But it was on the road going</p> <p>22 to Shannon from the east Rome Wal-Mart.</p> <p>23 Q And did the police come to the scene?</p> <p>24 A No, ma'am.</p> <p>25 Q No police report?</p>	<p style="text-align: right;">Page 39</p> <p>1 Q I've been saying it wrong.</p> <p>2 A It is Danny Kelly.</p> <p>3 Q I apologize.</p> <p>4 Daddy Kelly? Danny Kelly?</p> <p>5 A Danny Kelly.</p> <p>6 Q Yes. Okay.</p> <p>7 And is the Jeep Danny Kelly's primary,</p> <p>8 primary vehicle that he drives, or is it just an</p> <p>9 extra car that he has for whatever?</p> <p>10 A The -- they primarily drive a different</p> <p>11 vehicle. That's just his whenever he wants to go</p> <p>12 riding by himself, but he's usually with his wife and</p> <p>13 in her vehicle.</p> <p>14 Q What all kinds of stuff does he use the</p> <p>15 Jeep for?</p> <p>16 A The only thing he uses it now for is</p> <p>17 usually he would go see his friend, or if he had to</p> <p>18 go to the store every once in a while. But he</p> <p>19 doesn't use it a whole lot.</p> <p>20 Q I mean, did he used to use it for</p> <p>21 recreation or anything like that, to your knowledge?</p> <p>22 A Not to my knowledge.</p> <p>23 Q If you could take a look at in the</p> <p>24 interrogatories where you are now. I believe it's</p> <p>25 response number 2. All right. In this response</p>
<p style="text-align: right;">Page 38</p> <p>1 A No, ma'am.</p> <p>2 Q Okay. And you all didn't file a claim or</p> <p>3 anything for damage to the trailer?</p> <p>4 A No, ma'am.</p> <p>5 Q Okay. And I understand you can't give me</p> <p>6 the exact brand name or model name, but -- for the</p> <p>7 Jeep. I mean, a Jeep Wrangler, you know, can be</p> <p>8 hardtop, soft-top. I mean, they're pretty obvious.</p> <p>9 Is it that kind of car, or would you say</p> <p>10 it's more like a normal Jeep SUV that's fully</p> <p>11 enclosed?</p> <p>12 A It has a soft-top.</p> <p>13 Q Soft-top.</p> <p>14 A Yes.</p> <p>15 Q Okay. Do you remember when the second</p> <p>16 accident occurred, approximately?</p> <p>17 A If I remember correctly, I believe it was</p> <p>18 when we were moving stuff out of our older house. So</p> <p>19 it would have been at the beginning of 2020, like</p> <p>20 January.</p> <p>21 Q Okay. And what is Santana's uncle's name</p> <p>22 that is the owner of the Jeep?</p> <p>23 A It's her grandfather.</p> <p>24 Q Oh, I'm sorry.</p> <p>25 A Yeah.</p>	<p style="text-align: right;">Page 40</p> <p>1 there are various witnesses that are identified. And</p> <p>2 I want you to just take a second to look through the</p> <p>3 different names. We can go section by section just</p> <p>4 so we make sure we're thorough.</p> <p>5 But as far as scene witnesses -- obviously,</p> <p>6 aside from your wife Santana -- did you know any of</p> <p>7 those individuals prior to the night of the accident?</p> <p>8 A No, ma'am.</p> <p>9 Q Okay. Same question for -- I think we can</p> <p>10 cover the, the bottom three categories:</p> <p>11 Investigating officers, coroner, medical examiner.</p> <p>12 Did you know any of those individuals prior</p> <p>13 to the night of the accident?</p> <p>14 A No, ma'am.</p> <p>15 Q Okay. And then the next page, Fannin</p> <p>16 County EMS providers and Fannin County Regional</p> <p>17 Hospital providers.</p> <p>18 Did you know any of those providers prior</p> <p>19 to the night of the accident?</p> <p>20 A No, ma'am.</p> <p>21 Q And in the section for persons with</p> <p>22 knowledge of the subject F-250, do you know Anthony</p> <p>23 Holloway, William Holloway, Austin Lambert or Harvest</p> <p>24 Lambert?</p> <p>25 A No, ma'am.</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q Ronnie Thompson Ford, have you ever bought 2 a vehicle there? 3 A No, ma'am. 4 Q Have you ever had a vehicle serviced there 5 or leased a car from there; anything like that? 6 A No, ma'am. 7 Q Okay. So no, no prior interaction with 8 Ronnie Thompson Ford? 9 A No, ma'am. 10 Q Have you talked to any of the scene 11 witnesses, people that were at the scene of the 12 accident, since the accident? 13 A The only person that has reached out was 14 Trenton Rhodes. And he just basically wanted to 15 check on us, but I haven't talked to him since 16 probably maybe a month or two after the accident. 17 Q And did you all just talk one time? 18 A To my knowledge, yes. 19 Q Did he tell you anything about, you know, 20 the scene of the accident, or what he observed, or 21 what he did, or anything about the accident itself? 22 A The only thing that I remember him saying 23 was that he seen it happen and he seen Hunter coming 24 back to his truck. That's the only thing that I can 25 remember.</p>	<p style="text-align: right;">Page 43</p> <p>1 Q Okay. Who is that, if you know? 2 A I can't think of his name off the top of my 3 head, but he said that he was at the scene. And we 4 had tried to reach out to him to get -- to have him 5 come forth as a witness, and we could not get in 6 contact with him after that. 7 Q Is it maybe Thomas Barker? I know he's 8 another scene witness. "No"? 9 A No. 10 Q "No"? 11 And how did you all make the connection at 12 the beach that you all sort of knew each other from 13 the night of the accident? 14 A I believe he recognized us whenever -- so 15 he was, he was pulling out of the parking garage and 16 we were walking to our car. And he recognized us and 17 he had brought it up. And then we had realized that 18 he was somebody that, that was at the wreck; at the 19 scene. 20 Q Okay. And where, where were you all at the 21 beach? 22 A In -- I think it was Myrtle Beach. 23 Q Okay. Did he tell you anything about, you 24 know, what happened at the scene, or what he 25 remembered, or what went on; anything like that?</p>
<p style="text-align: right;">Page 42</p> <p>1 Q Hunter coming back to his truck? 2 A Well, like, I guess, walking towards his 3 truck. I don't, I don't really know the details. 4 Q If you can turn to interrogatory number 5. 5 And, again, this is something that we ask all 6 witnesses, all parties to cases. 7 I just want to confirm you've never been 8 convicted of a felony or a crime of moral turpitude; 9 is that correct? 10 A That is correct. 11 Q Okay. Any other criminal convictions that 12 you've had? And I'm not interested in traffic 13 tickets or parking tickets or something like that, 14 but any other criminal convictions? 15 A No, ma'am. 16 Q Okay. Thank you. 17 I believe I saw in some social media posts 18 that were produced recently a picture of you all at 19 the beach when you ran into somebody that was at the 20 scene the night of the accident. 21 Does that sound familiar? 22 A Yes, ma'am. 23 Q Okay. Is that the same Trenton Rhodes that 24 called you, or is that a different person? 25 A It's a different person.</p>	<p style="text-align: right;">Page 44</p> <p>1 A I mean, he, he told us from what he, what 2 he had seen at the scene. Yes. 3 Q What did he tell you all? 4 A He said that he was sitting at the red 5 light when it happened and that he had came over to 6 our car and he was basically checking on us. And he 7 helped get Santana out and that he helped get Cohen's 8 door open to see if he can get Cohen out of the 9 vehicle, from what I remember. I believe he was, he 10 was one of the first ones that was at the scene. 11 Q Was -- do you know if he was one of the 12 individuals that either attempted CPR on Cohen or, or 13 assisted with it? Does that sound like the same 14 person, or -- 15 A Yes. I believe he said he did. I believe 16 he was a volunteer firefighter in another state or 17 another city. And so from, from what I remember, I 18 think that he said that he did try to attempt CPR 19 until they got there. 20 Q Okay. And have you talked to that 21 individual since running into him at Myrtle Beach? 22 A Just when I had tried to reach out as far 23 as a witness for the case, but he didn't reply. 24 Q Okay. Were you -- did you attend Hunter 25 Elliott's either plea hearing or sentencing hearing;</p>

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<p style="text-align: right;">Page 45</p> <p>1 anything of that kind of stuff?</p> <p>2 A Yes, ma'am.</p> <p>3 Q You did?</p> <p>4 A (Witness nods head.)</p> <p>5 Q Okay. And I've, I've seen some victim</p> <p>6 impact statements in the DA's file I think I saw from</p> <p>7 some relatives.</p> <p>8 Did you have to testify at any of those</p> <p>9 proceedings?</p> <p>10 A No, ma'am.</p> <p>11 Q Did you give a victim impact statement for</p> <p>12 those proceedings?</p> <p>13 A I don't believe so.</p> <p>14 Q Okay. And I believe in some of the</p> <p>15 Facebook posts that have been produced in the case</p> <p>16 that either you or Santana posted that the drunk</p> <p>17 driver caused the accident.</p> <p>18 Do you still believe that to be true?</p> <p>19 A I believe the driver caused the accident,</p> <p>20 but I do not believe that the driver had caused the</p> <p>21 death.</p> <p>22 Q And what is that based on?</p> <p>23 A What do you --</p> <p>24 Q What do you mean by that, I guess?</p> <p>25 A I feel like that, I mean, obviously, he's</p>	<p style="text-align: right;">Page 47</p> <p>1 thing in the country.</p> <p>2 Q Would you say on most occasions while</p> <p>3 you're out driving in the area where you leave --</p> <p>4 live you'll see at least one vehicle that's lifted on</p> <p>5 the roadway?</p> <p>6 A Where I live currently, or where I lived</p> <p>7 previously?</p> <p>8 Q Well, when you grew up in the country, I</p> <p>9 should say.</p> <p>10 A When -- um. So ask that one more time.</p> <p>11 Q So that was probably -- that was a bad</p> <p>12 question.</p> <p>13 Back when you -- when you talk about living</p> <p>14 in the country, is that growing up?</p> <p>15 A Yes, ma'am.</p> <p>16 Q Okay. And now you would not consider</p> <p>17 yourself to live in the country?</p> <p>18 A Not as country --</p> <p>19 Q Not as --</p> <p>20 A -- as where I grew up.</p> <p>21 Q -- country?</p> <p>22 A Yeah.</p> <p>23 Q Okay. Back growing up living in the</p> <p>24 country, you know, as an estimate, any time you got</p> <p>25 on the roadway as a passenger or driveway -- driver,</p>
<p style="text-align: right;">Page 46</p> <p>1 the one that had hit us --</p> <p>2 Q Mm-hmm.</p> <p>3 A -- but I feel like if, if the, the truck</p> <p>4 wasn't so high up it would have been able to, like,</p> <p>5 hit the bumper rather than just kind of crush the top</p> <p>6 of the car. Cause you can see in the pictures that</p> <p>7 it kind of went over the top of the car and I think</p> <p>8 that probably caused a lot more damage than, than</p> <p>9 what it could have.</p> <p>10 Q And have you ever driven any vehicle in</p> <p>11 your lifetime with a lift kit, or a lifted vehicle?</p> <p>12 A No.</p> <p>13 Q Do you have any family members that have</p> <p>14 ever owned a vehicle with a lift kit on it?</p> <p>15 A Not to my knowledge. No.</p> <p>16 Q And I think I asked have you ever driven</p> <p>17 one.</p> <p>18 Have you ever ridden in a car or vehicle</p> <p>19 with a lift kit on it; a lifted suspension?</p> <p>20 A I'm sure I have. I can't tell you exactly.</p> <p>21 I mean, I can't remember exactly, but I'm sure</p> <p>22 probably at some point in my life I probably have.</p> <p>23 Q What makes you think that you probably</p> <p>24 have?</p> <p>25 A I'm from the country. And that's a common</p>	<p style="text-align: right;">Page 48</p> <p>1 would you typically see a lifted vehicle at some</p> <p>2 point while on the roadway?</p> <p>3 A I wouldn't say every time. I mean, I</p> <p>4 just -- you see them more often than you would</p> <p>5 probably see somewhere like here. But I wouldn't say</p> <p>6 it happens like every time that you're on the</p> <p>7 roadway. No.</p> <p>8 Q And do you still see lifted vehicles in the</p> <p>9 area where you live now in Cedartown?</p> <p>10 A A very select few. I don't see a whole lot</p> <p>11 of them anymore. No.</p> <p>12 Q Okay. What's your understanding of why</p> <p>13 people -- whether they're your friends or whoever.</p> <p>14 If you've ridden in a lifted truck or</p> <p>15 vehicle before, what's your understanding of why</p> <p>16 people get lift kits and lift their vehicles?</p> <p>17 MS. CANNELLA: Object to the form of the</p> <p>18 question. Calls for speculation.</p> <p>19 You can answer.</p> <p>20 THE WITNESS: I just feel like they</p> <p>21 probably just think it makes them look cool, to</p> <p>22 be honest.</p> <p>23 Q (BY MS. FERGUSON) Just looking through some</p> <p>24 of the Facebook and other posts that have been</p> <p>25 produced, social media stuff, it looks like you're</p>

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<p style="text-align: right;">Page 49</p> <p>1 community rallied around you all quite a bit after this 2 accident, so I just want to ask you a couple things 3 about various fundraisers that I saw in the social 4 media. It looks like a GoFundMe account was setup. 5 Do you have any idea how much money was 6 raised in that in total? 7 A I don't remember the exact amount. 8 Probably around 20,000, if I remember correctly. 9 Q Yeah. An estimate is fine. 10 A Yeah. 11 Q I'm not going to hold you to it. I'm just 12 trying to get a ballpark idea. And I saw a couple 13 posts related to some bracelets that somebody made: 14 Chandler Strong and Forever Loved Cohen Zayne. 15 Again, just asking for a ballpark, if you 16 know, how much money was raised approximately by the 17 sale of the bracelets? 18 A Probably about a thousand. 19 Q Okay. Same question for some T-shirts I 20 saw that somebody made. 21 A ballpark estimate of how much was raised 22 with the sale of the T-shirts? 23 A Probably around a thousand as well. 24 Q And as far as the expenses from the 25 accident -- the vehicle, hospital, funeral; any other</p>	<p style="text-align: right;">Page 51</p> <p>1 A Correct. 2 Q Or just turned three? 3 A Yes, ma'am. 4 Q Okay. Is he in preschool? 5 A No, ma'am. 6 Q Okay. Just in general, how is, how is he 7 doing? Does he have any, like, health problems or 8 issues? 9 A No. He doesn't have any major health 10 problems at the moment. No. 11 Q Okay. He -- he's not in preschool now, but 12 at some point in time you all plan to send him either 13 to preschool or school when he gets a little older? 14 A Yes, ma'am. 15 MS. FERGUSON: Okay. And I think I'm 16 getting close to being done. I just -- a few 17 more questions. I might take a break and look 18 back at my notes for a second -- 19 MS. CANNELLA: That's fine. 20 MS. FERGUSON: -- but I think I'm getting 21 close. 22 Q (BY MS. FERGUSON) And with regard to Cohen -- 23 and, again, I, I hate having to even ask you questions 24 about this, but, unfortunately, it's just, you know, 25 part of my job. And this is what happens when a</p>
<p style="text-align: right;">Page 50</p> <p>1 accident related expenses -- have you all had to pay 2 out of pocket for any of that? 3 A We bought our vehicle, our new vehicle, 4 with the money. But I think that's -- from what I 5 can remember, that's it. 6 Q You bought it with your, with your money -- 7 A Yeah. 8 Q -- the new vehicle? 9 A From the, from the -- 10 Q Settlement proceeds, or -- 11 A From the, like, fundraiser. Like the 12 GoFundMe. 13 Q Okay. Okay. You used that money to buy a 14 new vehicle. 15 What did you buy? 16 A A Ford Flex. 17 Q Okay. But as far as, I guess, the way I 18 asked the question, you answered it the right way, as 19 you should. 20 As far -- what about medical expenses? 21 Have you all had to come out of pocket at all on 22 those, to your knowledge? 23 A Not to my knowledge. 24 Q How -- okay. So Chandler is, is three 25 years old now; is that right?</p>	<p style="text-align: right;">Page 52</p> <p>1 lawsuit's filed. 2 But if you could, just tell me a little bit 3 about him, what he was like; you know, his hobby -- I 4 know he was little, but hobbies, interests; any 5 favorite cartoons, characters. Just anything that, 6 you know, would describe him in your words. 7 A He was very, he was very smart for his age, 8 very athletic. We would play basketball a lot 9 together. He liked to play games with me. We had 10 like a little basketball goal at the house that we 11 would just shoot at. He liked trucks. He liked to 12 play outside. He -- I'm trying to think of the 13 cartoon characters at the time that he was into. I, 14 I honestly can't remember the exact cartoon 15 characters and stuff that he was into. But a very 16 outgoing, very outgoing kid. 17 MS. FERGUSON: Okay. Let us -- thank you 18 for sharing that with me. 19 Let us take a little break. And I'm going 20 to look back at my notes. I might run to the 21 restroom. And I don't think I have anything 22 else; if I do, it'll be very brief. 23 MS. CANNELLA: Okay. 24 MS. FERGUSON: So we're very close to being 25 done. That's the good news.</p>

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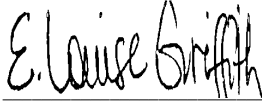

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<p style="text-align: right;">Page 53</p> <p>1 THE VIDEOGRAPHER: The time is 12:45 p.m. 2 We are off the record. 3 (Whereupon, a brief recess was taken.) 4 THE VIDEOGRAPHER: The time is 1:11 p.m. 5 And we are on the record. 6 Q (BY MS. FERGUSON) Okay. Josh, I have just a 7 couple more questions. I think we'll wrap up pretty 8 quickly; a few things I forgot to ask you about 9 earlier. 10 I'm going to hand you what I've marked as 11 Defendant's Exhibit 3. It's plaintiff's responses to 12 Defendant Rough Country's second interrogatories. 13 (Whereupon, the court reporter 14 marked Defendant's Exhibit No. 3 for 15 identification.) 16 MS. CANNELLA: Okay. 17 Q (BY MS. FERGUSON) And I'll give you a second 18 just to look through this, but we, we -- the 19 interrogatory asked about contents in the Ford Escape 20 at the time of the subject accident. 21 If you want to take a second to review it, 22 I, I have a couple of questions about the response. 23 Just let me know when you've had a chance to look at 24 it. 25 A I think I'm ready.</p>	<p style="text-align: right;">Page 55</p> <p>1 Q And they -- but they were in the back cargo 2 area? 3 A Yes. They were in the back, but I can't 4 remember left or right. They're not very big chairs, 5 so... 6 Q And bag of clothing. 7 Was that just like a suitcase of clothing, 8 or do you remember anything more about that? 9 A No. If I remember right, it was like just 10 a regular black trash bag from where we were moving. 11 It had just been still in the car. We hadn't taken 12 it out yet. 13 Q Okay. Were there -- what was in -- I know 14 Cohen was sitting on the driver's side in the back 15 seat. 16 Were there any other items that were in the 17 back seat of the Ford Escape that you remember? 18 A Not to my knowledge. 19 MS. FERGUSON: Okay. I don't think I have 20 any other questions for you. Thank you very 21 much. 22 THE WITNESS: Yes, ma'am. 23 MS. CANNELLA: No questions. 24 MS. FERGUSON: You want to read and sign? 25 MS. CANNELLA: Yeah. We'll read and sign.</p>
<p style="text-align: right;">Page 54</p> <p>1 Q Okay. So on page 2 of the response, 2 there's a number of items that were listed as being 3 in the trunk on the date of the impact. And 4 understand you may not know, but if you do, just give 5 me the best information available to you. 6 As far as the shop vac that was in the 7 vehicle, when you say that was in the trunk, is that 8 the back cargo space of the Ford Escape? 9 A Yes, ma'am. 10 Q Do you remember if it was on the left side, 11 or the right side? 12 A I don't remember. 13 Q Okay. What about the umbrella stroller 14 that's listed under that? Do you remember whether it 15 was on the left, or right, middle; anything about 16 where it was positioned? 17 A I believe it just laid across, so it's 18 probably from left to right. 19 Q Okay. And that was also in the back cargo 20 area? 21 A Yes, ma'am. 22 Q Okay. What about the two camping chairs? 23 Do you remember anything about where they were 24 positioned? 25 A No, ma'am.</p>	<p style="text-align: right;">Page 56</p> <p>1 THE VIDEOGRAPHER: I'll go off. This 2 concludes this video deposition. The time is 3 1:14 p.m. We are off the record. 4 (Deposition concluded at 1:14 p.m.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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<p style="text-align: center;">ERRATA PAGE</p> <p>Pursuant to Rule 30(e) of the Federal Rules of Civil Procedure and/or Georgia Code Annotated 9-11-30(e), any changes in form or substance which you desire to make to your deposition testimony shall be entered upon the deposition with a statement of the reasons given for making them.</p> <p>To assist you in making any such corrections, please use the form below. If supplemental or additional pages are necessary, please furnish same and attach them to this errata sheet.</p> <p>I, the undersigned, JOSHUA BRYSON, hereby certify under penalty of perjury that I have read the foregoing deposition and that said deposition is true and accurate, with the exception of the changes noted below, if any.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Page</th> <th style="width: 15%;">Line</th> <th style="width: 15%;">Change</th> <th style="width: 15%;">Reason</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Page	Line	Change	Reason																																																													<p style="text-align: center;">CERTIFICATE</p> <p>STATE OF GEORGIA:</p> <p>COUNTY OF DEKALB:</p> <p>I hereby certify that the foregoing transcript was taken down as stated in the caption, that the witness was first duly sworn, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages 1 through 56 represent a true, correct, and complete transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case. The witness did reserve the right to read and sign the transcript.</p> <p style="text-align: right;">This, the 12th day of April, 2023.</p> <div style="text-align: right; margin-top: 20px;">  LOUISE GRIFFITH, CCR-B-2121 Certified Court Reporter </div>				
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<p style="text-align: center;">Page 58</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Page</th> <th style="width: 15%;">Line</th> <th style="width: 15%;">Change</th> <th style="width: 15%;">Reason</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> <p style="text-align: right; margin-top: 20px;">JOSHUA BRYSON</p> <p>Sworn to and subscribed before me _____,</p> <p>Notary Public, this _____ day of _____, 2023.</p> <p>My commission expires: _____</p>	Page	Line	Change	Reason																																																																	<p style="text-align: center;">Page 60</p> <p style="text-align: center;">COURT REPORTER DISCLOSURE</p> <p>Pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:</p> <p>I am a Georgia Certified Court Reporter. I am here as a representative of Regency-Brentano, Inc.</p> <p>I am not disqualified for a relationship of interest under the provisions of O.C.G.A. §9-11-28 ©.</p> <p>Regency-Brentano, Inc. was contacted by the offices of Esquire Deposition Solutions to provide court reporting services for this deposition.</p> <p>Regency-Brentano, Inc. will not be taking this deposition under any contract that is prohibited by O.C.G.A. §15-14-37 (a) and (b).</p> <p>Regency-Brentano, Inc. has no exclusive contract to provide reporting services with any party to the case, any counsel in the case, or any reporter or reporting agency from whom a referral might have been made to cover this deposition.</p> <p>Regency-Brentano, Inc. will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party to this litigation.</p> <div style="text-align: right; margin-top: 20px;">  Louise Griffith, CCR-B-2121 </div>
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